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Attorneys for Chapter 7 Trustee, Kenneth A. Rushton

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
Central Division

In re	Bankruptcy Case No. 08-20105 RKM (Chapter 7)
C.W. MINING COMPANY, dba Co-Op Mining Company,  Debtor.	<b>NOTICE OF TRUSTEE’S MOTION TO APPROVE SETTLEMENT AGREEMENT AND AUTHORIZE COMPROMISE WITH UTAHAMERICAN ENERGY, INC. AND NOTICE OF HEARING</b>

Chapter 7 Trustee Kenneth A. Rushton (the “**Trustee**”) has filed a Motion to Approve Settlement Agreement and Authorize Compromise with UtahAmerican Energy, Inc. (the “**Motion**”) pursuant to Fed. R. Bankr. P. 9019 according to the terms of a Settlement Agreement (the “**Agreement**”) between the Trustee and UtahAmerican Energy, Inc. (“**UEI**”). The Agreement provides that UEI will pay the Trustee \$163,000 in full settlement of the estate’s claim against UEI for interest, after giving credit to UEI for attorney fees awarded by the Court and an additional credit of \$75,628.12. It further provides that the Trustee and UEI will dismiss their respective appeals to the United States District Court and that UEI will be dismissed from

Adversary Proceeding No. 09-02047. A copy of the Motion and Agreement are on file with the Court and may be obtained upon request made to the Clerk of the Court.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to approve the settlement described above, or if you want the Court to consider your views on the Motion, then on or before November 19, 2010, you or your attorney must file an objection to the Motion, explaining your position, at the office of the Bankruptcy Clerk, 350 South Main, #301, Salt Lake City, UT 84101. You must also mail or deliver a copy of your objection to the undersigned attorney at his address stated at the top of this document.

A hearing will be conducted on the Motion on December 1, 2010, at 10:30 a.m. before the Honorable R. Kimball Mosier, United States Bankruptcy Court, Frank E. Moss United States Courthouse, Room 369, located at 350 South Main, Salt Lake City, UT. Any party opposing the Motion is required to file and serve a written objection thereto within fourteen (14) days after the date of this Notice. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested in the Motion without a hearing.

DATED this 5<sup>th</sup> day of November, 2010.

**PRINCE, YEATES & GELDZAHLER**  
A Professional Corporation

By: /s/ James C. Swindler  
James C. Swindler, Esq.  
Attorneys for Kenneth A. Rushton, Trustee

CERTIFICATE OF SERVICE

I certify that on the 5<sup>th</sup> day of November, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent a notice of electronic filing to all parties whose names appear on the electronic mail notice list for this case. I further certify that a copy of the foregoing Notice was mailed to all persons on the most recent version of the official mailing matrix in this case.

/s/ James C. Swindler